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September 29, 2014

VIA ECF

Hon. Lorna G. Schofield
United States District Judge
United States Courthouse
500 Pearl Street
New York, N.Y. 10007

Re: Gwendolyn Wallace v. Lawrence P. Wolf
14 Civ. 6366 (LGS)

Dear Judge Schofield:

I represent the plaintiff in this case brought under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., and N.Y.S. General Business Law § 349.

I am writing -- with the consent of defendant's counsel -- to request an adjournment of the due date for the filing of the parties' Proposed Civil Case Management Plan and Scheduling Order and an adjournment of the initial pre-trial conference. The plan and order are currently due on October 1, 2014, with the pre-trial conference to follow on October 8, 2014.

Although the complaint was filed on August 11, 2014, the defendant only entered his appearance by counsel on September 22, 2014; he has not yet filed an answer to the complaint; and the answer is not due until October 21, 2014, owing to the fact that defendant responded affirmatively to plaintiff's request to waive service of the summons.

Given the early stage of proceedings and especially the fact that the nature of defendant's defenses is at this point unknown, it would probably make sense to postpone matters until after the answer is filed. May I suggest that the case management plan and scheduling order be filed 10 days after the answer due date, i.e., on Friday, October 31, 2014, and that the initial pre-trial conference take place during the week of November 3-7? (I plan to be out of the country during the week of November 10-14.)

Thank you for considering this request.

Very truly yours,

A handwritten signature in black ink, appearing to be 'J M L', written over the typed name.

James M. Baker
Staff Attorney

JMB/jb

cc: Robert Moraco
Attorney for Defendant